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DEPARTMENT OF STATE
THE LEGAL ADVISER

May 2, 1968

Letter to OPS/AMC 5/3

TO : L - Mr. Meeker

THROUGH: L - Mr. Salans

FROM : L/C - Ernest L. Kerley

SUBJECT: Assistance from Veterans Administration in computing permanent impairment in the U.S.S. Liberty personal injury claims

In our efforts to compute the U.S.S. Liberty personal injury claims we have become increasingly aware of the difficulties of accurately computing the per cent of physical impairment which will be applied to the projected lifetime earnings in our personal injury compensation formula. This problem will arise in the limited number of cases in which there has been a permanent impairment of earning capacity.

We met yesterday with officials of the Veterans Administration to see if they would be willing to evaluate our permanent impairment cases on the basis of the VA Schedule for Rating Disabilities, which is an authoritative schedule also used by the Department of Defense when a member of the armed forces is given a disability discharge pursuant to the findings of a Physical Evaluation Board. We found them ready to help us, both out of a genuine cooperative spirit and out of the apprehension that if we rated the disability differently from them, problems might arise when our claimant subsequently applied for veterans' benefits. The attached letter was suggested by them as a formality; they did not doubt that they would be authorized to assist us. They have not requested that the Department agree to reimburse the Veterans Administration for this assistance. I assume we would not be able to do so.

Attachment: Proposed letter to VA

L:L/C:EKerley:ams

DEPARTMENT OF STATE A/CDC/MR
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